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LETTER DATED 9 APRIL 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to bring to your attention the conclusions of the Special General Council of the European Union on the situation in Kosovo set forth on 8 April 1999 (see annex).

I would be grateful if the text of the present letter and its annex were circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Ambassador

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Annex

Conclusions of the Special General Council of the European Union set forth on 8 April 1999 on the situation in Kosovo

The Council is appalled by the human tragedy inflicted upon the population of Kosovo by the criminal and barbaric acts being perpetrated by the authorities of the Federal Republic of Yugoslavia and Serbia.

In the face of extreme and criminally irresponsible policies, and repeated violations of resolutions of the Security Council, the use of the severest measures, including military action, has been both necessary and warranted. The North Atlantic Alliance is taking action against military targets in the Federal Republic of Yugoslavia in order to put an end to the humanitarian catastrophe in Kosovo. The European Union (EU) emphasizes that the responsibility for the armed conflict that is now taking place lies entirely with President Milosevic and his regime, who and which deliberately worked to destroy the chances of a diplomatic settlement which others strove so hard, and so exhaustively, to bring about. All those who planned, authorized and executed this brutal campaign of forced deportation, torture and murder should be held personally accountable and be brought to justice before the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

The Council recalled its conclusions of 25 January and 21 February, including on the strengthening of economic sanctions.

President Milosevic knows what he has to do, namely:

(a) Ensure a verifiable stop to all military action and the immediate ending of the killing;

(b) Ensure the withdrawal from Kosovo of the military, police and paramilitary forces;

(c) Agree to the stationing of an international military peacekeeping presence;

(d) Agree to the unconditional return of all deportees and unhindered access to them by humanitarian aid organizations;

(e) Provide credible assurance of his willingness to work on the basis of the Rambouillet agreement on the establishment of a political framework agreement for Kosovo in conformity with international law and the Charter of the United Nations.

EU will not accept the success of a policy of deportation and destruction of a people for brutal nationalistic purposes.

The Council is deeply concerned about the conditions of displaced persons forced to live in the open within Kosovo. While they remain within the borders

of the Federal Republic of Yugoslavia, their humanitarian needs are the responsibility of President Milosevic whom we hold to account for their survival. We deplore the recent closure of the Federal Republic of Yugoslavia borders on Albania and the former Yugoslav Republic of Macedonia to the refugees. It is just as unacceptable to compel the refugees by force to remain in Kosovo as it is to deport them.

The European Union fully supports the regional refugee concept of the Office of the United Nations High Commissioner for Refugees (UNHCR) as the lead agency for accommodating and assisting deportees close to their home, allowing them to return to their places of origin as soon as possible. At the same time, it recognizes the need to make the overwhelming task on the ground manageable by providing effective protection as extensively as possible within the region.

The Council recognizes that it might also, for humanitarian reasons and to avoid destabilizing individual host countries in the region of origin, prove necessary in the future to afford displaced persons protection and assistance outside their region of origin on a temporary basis. Any such humanitarian evacuations out of a neighbouring area must be based on the voluntary choice of the refugees to be temporarily relocated. In this context, the principle of family unity should also be applied.

In dealing with the consequences of the brutal and criminal deportation of hundreds of thousands of people, active regional solidarity and effective regional cooperation are paramount. In line with its solidarity and in addition to the substantial assistance already provided, the European Union will continue to assist the most affected countries of the region to counter the destabilizing effects of the flow of deportees. The Council welcomes the communication by the Commission of 7 April to this effect and urges the speedy implementation of this assistance package for neighbouring Governments, in particular in Albania, the former Yugoslav Republic of Macedonia and Montenegro. This assistance amounting to up to 250 million euros involves the mobilization of the reserves of the Community budget for emergency assistance and includes up to 150 million euros for the EU humanitarian effort for the victims of the Kosovo crisis and up to 100 million euros in the form of refugee-related support. The Council welcomes the intention of the Commission to work in close coordination with other donors including international financial institutions to maximize the efficiency of this specific and conditional assistance, inter alia, through macroeconomic support.

The European Union and its member States are working with the international financial institutions to alleviate the exceptional burdens of the countries most affected. The European Union remains gravely concerned about the repercussions of the deportee exodus from Kosovo on the stability of the region as a whole.

A political solution to the Kosovo crisis must be embedded in a determined effort geared towards stabilizing the region as a whole. South-eastern Europe needs a stability pact opening the door to a long-term political and economic stabilization process. Such a broad-based strategy could take advantage of existing regional initiatives.

Taking account of the good progress made in the cooperation agreement context, the Council invites the European Commission (EC) to report, in the context of the regional approach, on the upgrading of the EC's contractual relations with the former Yugoslav Republic of Macedonia including the option of an association agreement. The European Union welcomes the efforts of the former Yugoslav Republic of Macedonia to alleviate the plight of the deportees in the country and urges it to intensify these, so as to ensure humane conditions for all those suffering in this crisis. EU stressed the obligation of all Governments concerned to undertake such transfers of refugees or deportees only in full cooperation with UNHCR.

EU notes that the progress in stabilization and development in Albania will contribute to the further enhancement of EU-Albania relations, including programmes towards a future upgrading of contractual relations. The European Union warmly welcomes Albania's stated readiness to accept, in addition to the huge numbers already admitted, additional deportees currently in the former Yugoslav Republic of Macedonia and at the borders of the former Yugoslav Republic of Macedonia. The European Union will give technical and financial advice and assistance to aid Albania as much as possible.

The European Union underlines its concern over the situation in the republic of Montenegro. It reconfirms its full support for the democratically elected Government of President Milo Djukanovic, as well as its readiness to help Montenegro in coping with the flow of deportees. A part of the package is to be directed to Montenegro for humanitarian and budgetary aid. Any attempt by Belgrade to undermine the democratically elected Government of Montenegro will have the most serious consequences.